

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

BRENAN COLE and RACHEL COLE,
AUSTIN HODGE and HANNAH
HODGE,

Case No. 22-CV-00044-R

Plaintiffs,

v.

AMC WEST HOUSING LP, a foreign
limited partnership,
BALFOUR BEATTY COMMUNITIES,
a foreign limited company,
STEAMMART, LLC, an Oklahoma
limited liability company,
GREGG PETERSON CONSTRUCTION
GROUP LLC, an Oklahoma limited
liability company,
CC-1-CC10 Unindicted Co-Conspirators
in USA v. RICK CUNEFARE 21-CR-
319-EGS

Defendants.

PLAINTIFF'S FINAL WITNESS AND EXHIBIT LIST

Plaintiffs, by and through counsel of record, Caleb Salmon of AIZENMAN LAW GROUP,
hereby submit this final list of witnesses and exhibits:

WITNESS LIST – Will Call in Bold

No.	Witness Name	Role/Expected Testimony
1.	Brenan Cole, c/o Aizenman Law Group	Deposed.
2.	Rachel Cole, c/o Aizenman Law Group	Deposed.
3.	Austin Hodge, c/o Aizenman Law Group	Deposed.
4.	Hanna Hodge, c/o Aizenman Law Group	Deposed.

No.	Witness Name	Role/Expected Testimony
5.	Teresa Anderson	Former Balfour Beatty Communities (BBC) employee involved with maintenance records
6.	Rebecka Bailey	Former Tinker Regional Manager
7.	Kenyon Bell	72nd Air Base Wing Commander Col.
8.	Jennifer Benski	Former BBC manager at Malmstrom Air Force Base (“AFB”) in Montana
9.	Tina Brown	Former BBC employee involved with work orders
10.	Amber Buckley	Former Tinker AFB tenant who had issues with housing maintenance
11.	Stacy Cabrera	Former Community Manager at Lackland AFB
12.	Abigaila Courtney	Former tenant at Tinker AFB who had issues with housing maintenance
13.	Rick Cunefare	Former Regional Manager for Company 1, Lackland AFB, Travis AFB, Vandenberg AFB, Tinker AFB, and Fairchild AFB
14.	Julie Meek	BBC Maintenance Technician to testify about maintenance issues
15.	C. Griffin	BBC Maintenance Technician to testify about maintenance issues
16.	CJ Young	BBC Maintenance Technician to testify about maintenance issues
17.	Selzer	BBC Maintenance Technician to testify about maintenance issues
18.	Tennant	BBC Maintenance Technician to testify about maintenance issues
19.	Powell	BBC Maintenance Technician to testify about maintenance issues

No.	Witness Name	Role/Expected Testimony
20.	Whitson	BBC Maintenance Technician to testify about maintenance issues
21.	Ray	BBC Maintenance Technician to testify about maintenance issues
22.	Todd Stowe	BBC Maintenance Technician to testify about maintenance issues
23.	Rutherford	BBC Maintenance Technician to testify about maintenance issues
24.	CM McKinney	BBC Maintenance Technician to testify about maintenance issues
25.	M Harrell	BBC Maintenance Technician to testify about maintenance issues
26.	Rice	BBC Maintenance Technician to testify about maintenance issues
27.	Luke Hibbs	BBC's "Mold Consultant"
28.	Steve Curtis	Senior Vice President, Safety, Health, Risk Management and Environment
29.	Earl DeLack	Former resident at Keesler AFB who had issues with housing maintenance
30.	Andrea DeLack	Former resident at Keesler AFB who had issues with housing maintenance
31.	Dan Frederick	Former Project Director with BBC
32.	Ron Fuentez	Rachel Cole's father; stayed on base with Plaintiffs for a visit and experienced issues with housing maintenance
33.	Tim Heath	Former Facilities Manager at Tinker AFB
34.	Ronald Case	Mold Inspector who performed a mold inspection of the Hodge's dwelling

No.	Witness Name	Role/Expected Testimony
35.	Taylor Hooper	Quantum Lab employee
36.	Kendra Horn	Oklahoma Congresswoman representing 5th congressional district near Tinker AFB with knowledge of base housing conditions
37.	Paige Ippolito	Former Tinker AFB resident who had issues with housing maintenance
38.	Nick Ippolito	Former Tinker AFB resident who had issues with housing maintenance
39.	Karen Jowers	Journalist for Military Times who covered military families for more than 30 years, co-author of chapter in book "A battleplan for supporting Military Families"
40.	Rick Linio	BBC Regional Facilities Manager
41.	Melody Marsh	Former Air Force Civil Engineer Center Regional Manager
42.	Kerry Martinez	BBC Assistant Community Manager / Resident Engagement Specialists involved with the Coles' dispute over repair charges
43.	Raul Martinez	Vice President of Operations, knowledge of BBC's fraud scheme and specific interaction with the Coles
44.	Shawn Munn	Former tenant at Tinker AFB who had issues with housing maintenance
45.	Robin Brady Naik	Quantum Lab employee who analyzed Coles' samples
46.	Stacy Nelson	Former BBC manager involved with maintenance recordkeeping at Lackland AFB
47.	Stephanie Oakley	Former Tinker AFB tenant who had issues with housing maintenance
48.	Maureen Omrod	BBC Senior Vice President of Marketing and Communications

No.	Witness Name	Role/Expected Testimony
49.	Michael Pell	Reuters Reporter who helped uncover military housing issues and fraud
50.	Leo Quinn	BBC Group Chief Executive (UK)
51.	Roxanne Roellchen	Former Lackland AFB tenant who had issues with housing maintenance
52.	Michele Speziale	Air Force liaison with knowledge of the facts and circumstances of BBC's fraud on Plaintiffs
53.	John Srader	Former Resident Engagement Specialists
54.	Rick Taylor	Balfour Beatty Campus Solutions CEO President, Facility Operations, Renovation & Construction
55.	Omar Villafranco	CBS News Correspondent who helped uncover military housing issues and fraud
56.	Robert Whittington	BBC Manager at Tinker AFB involved with maintenance recordkeeping
57.	Chris Williams	BBC President
58.	John Srader	Issues with Coles moving in
59.	Ann Yarbrough	Former Keesler AFB tenant who had issues with housing maintenance
60.	Michael Yarbrough	Former Keesler AFB tenant who had issues with housing maintenance
61.	Representatives from AMC Military Housing, c/o Jennings, Teague, P.C.	Defendant/All issues
62.	Representatives from Balfour Beatty Communities, c/o Jennings, Teague, P.C.	Defendant/All issues
63.	Representatives from Steammart, LLC	Defendant/All issues
64.	Representatives from GP Construction Group LLC	Defendant/All issues

No.	Witness Name	Role/Expected Testimony
65.	CC-1-CC10 Unindicted Co-Conspirators in USA v Rick Cunefare 21-CR-319-EGS	Defendants/All issues
66.	Plaintiffs' Medical Providers	Plaintiffs' medical conditions
67.	All witnesses identified on Defendants' witness list to which Plaintiff does not object	
68.	All witnesses necessary to authenticate documents	
69.	All witnesses necessary to rebut Defendants' testimony and/or defenses	
70.	All witnesses necessary to impeach Defendants' witnesses	

EXHIBIT LIST

No.	Document Description	Bates No.
1.	07/11/17-08/10/17 Texts between Stuart Saunders and Rachel Cole re housing not ready	ColeCorr0001
2.	8/30/2017 Cole letter to BB Housing re request for work	ColeCorr0002
3.	9/30/2017 Texts between Brenan and Rachel Cole re mouse	ColeCorr0003-ColeCorr0005
4.	Rachel Cole Facebook posts re mold and military housing	ColeCorr0006-ColeCorr0016
5.	Rachel Cole texts and Facebook posts re mold, housing issues	ColeCorr0017-ColeCorr0047
6.	10/10/18 email from Rachel Cole to Tom Cole re status of homes at Tinker Air Force Base	ColeCorr00048
7.	12/07/18 Bowman and Brooke letter to Tracy Schumacher disputing move out damages	ColeCorr00049; ColeCorr00051
8.	12/11/18 email from SrA Abigaila Courtney to Rachel Cole re Tinker AFB	ColeCorr00050
9.	02/07/19 Email from Rachel Cole to Committee Members (John Quirk, Allen Edwards, others) re Hearings against privatized housing companies	ColeCorr00052
10.	02/25/19 email from Col Kenyon Bell to Rachel Cole re housing concerns	ColeCorr00053
11.	Undated email response of Brenan and Rachel Cole to Col. Kenyon Bell	ColeCorr00054

No.	Document Description	Bates No.
12.	03/11/19 email from Brian Hinsvark to the Coles re housing concerns, military security clearance	ColeCorr00055
13.	03/22/19 Texts between Rachel Cole and Amanda Williams re mold and housing issues	ColeCorr00056-ColeCorr00059
14.	03/28/19 email from Brenan Cole to Michele Speziale re move out	ColeCorr00060
15.	04/17/19 email re air testing / mold results	ColeCorr00061
16.	05/16/19 Rachel Cole post re suicidal thoughts	ColeCorr00062-ColeCorr00064
17.	05/29/19 Rachel Cole post in Tinker Wives, Etc. re effect of mold	ColeCorr00065-ColeCorr00066
18.	05/30/19 email from Katie Ritter to Courtney Bruner re Mold results/housing status	ColeCorr00067
19.	09/30/19 letter from John W. Henderson to Christopher Williams of BBC re concerns over military housing privatization program	ColeCorr00068-ColeCorr00069
20.	09/19/18 email from Kerry Martinez to Brenan Cole re Brenan Cole Housing issues and current balance due with 09/20/18 response	ColeCorr00070-ColeCorr00074
21.	09/19/18 email from Brenan Cole to Kerry Martinez re quotes for replacing carpet and re-painting	ColeCorr00075-ColeCorr00076
22.	07/17/20 Facebook post re moving on	ColeCorr00077
23.	Undated air / mold testing results with photos	ColeCorr00078-ColeCorr00081
24.	Facebook posts between Katelyn Joe and Rachel Cole re finding mold and moving out	ColeCorr00082-ColeCorr00083
25.	Undated email from Tiffany Baek to Ms. Speziale re mold	ColeCorr00084
26.	Undated letter to Resident re asbestos and re-cleaning 20 homes	ColeCorr00085
27.	03/02/17 Credit Karma screenshot	ColeFinancial0001
28.	08/30/18 Tinker AFB BAH Reconciliation (\$3,887.25)	ColeFinancial0002; ColeFinancial0004
29.	08/30/18 Tinker AFB BAH Reconciliation (\$1,296.14)	ColeFinancial0003
30.	10/04/18 HunterWarfield collection notice (\$3,402.25)	ColeFinancial0005- ColeFinancial0008
31.	10/17/18 Schumacher & Stanley dispute letter to Hunter Warfield	ColeFinancial0009- ColeFinancial0010; ColeFinancial0015- ColeFinancial0016
32.	10/31/18 Schumacher & Stanley dispute letter to Hunter Warfield with collection letter	ColeFinancial0011- ColeFinancial0014; ColeFinancial0017- ColeFinancial0020
33.	10/17/18 Schumacher & Stanley dispute letter to Hunter Warfield with certified mail receipt	ColeFinancial0021- ColeFinancial0024

No.	Document Description	Bates No.
34.	12/07/18 Bowman and Brooke damages dispute letter	ColeFinancial0025
35.	05/21/19 TransUnion Direct Dispute – record deleted	ColeFinancial0026
36.	03/31/19 Equifax report re dispute completed	ColeFinancial0027- ColeFinancial0033
37.	08/06/19 Navy Federal Credit Union Visa Platinum Statement	ColeFinancial00304- ColeFinancial 0037
38.	06/16/20-07/15/20 Navy Federal Credit Union Consumer Loan Bill statement	ColeFinancial0038- ColeFinancial0040
39.	01/16/21-02/15/21 Navy Federal Credit Union Consumer Loan Bill Statement	ColeFinancial0041- ColeFinancial0043
40.	Credit Karma screen shot re rating based on 07/28/22 Equifax credit report information	ColeFinancial0044
41.	Credit Karma screen shot re rating based on 07/28/22 TransUnion credit report information	ColeFinancial00045
42.	11/20/18 Quantem Laboratories Microbiology Analytical Report	ColeLab0001-ColeLab0007
43.	Brenan Cole Medical Records	ColeMedical0001- ColeMedical1737
44.	Rachel Cole Medical Records	ColeMedical1738- ColeMedical1937
45.	Brenan in sick quarters	ColeMedical1938
46.	06/02/17 – 11/14/18 Work Order Directory	ColeMisc0001-ColeMisc0002
47.	Balfour Beatty Communities information	ColeMisc0003-ColeMisc0062
48.	AMC West Family Housing, LP Mold Addendum form (blank)	ColeMisc0063
49.	Tinker AFB Family Housing Lease Agreement (blank)	ColeMisc0064-ColeMisc0076
50.	Cole Photos of home condition	ColePhotos0001- ColePhotos0083
51.	Work order spreadsheet	ColeSupp0001
52.	BBC Renovated First Floor Plan – 4 bedroom	ColeSupp0002
53.	07/12/17 email from John Srader to Brenan Cole offering 7113D Lawrence home available for 08/07/17 move-in	ColeSupp0003
54.	08/07/17 – 08/08/17 SpringHill Suites Hotel Reservation	ColeSupp0004
55.	08/25/17 email from Brenan Cole to Michele Speziale re damaged shingles, mold concerns	ColeSupp0005
56.	Undated email from Rachel Cole to Heather re news stories	ColeNews0001-ColeNews0001
57.	12/21/18 New Air Force housing dogged by construction flaws, imperiling tenants	ColeNews0002-ColeNews0015
58.	12/21/18 Privatized military housing is plagued with ‘shoddy workmanship, raw sewage, rotten wood and chronic leaks’	ColeNews0016-ColeNews0025
59.	12/21/18 Special Report – U.S. military’s new housing plagued by construction flaws	ColeNews0026-ColeNews0046

No.	Document Description	Bates No.
60.	02/19/20 Military housing company allegedly falsified records as families lived with roaches and black mold	ColeNews0044-ColeNews0046
61.	06/18/19 Military housing contractor ignored dangerous filth and misled Air Force, investigation shows	ColeNews0047-ColeNews0054
62.	07/22/19 Exclusive: Air Force suspends fere payments to landlord Balfour Beatty following Reuters report	ColeNews0055-ColeNews0064
63.	10/29/19 Cockroaches, mold, raw sewage: 8 military families sue privatized housing company	ColeNews0065-ColeNews0075
64.	10/29/19 The Air Force has put this privatized housing landlord on notice	ColeNews0076-ColeNews0085
65.	02/19/20 For military families, mold may only be the start of their housing troubles	ColeNews0086-ColeNews0105
66.	11/20/19 Ex-workers say U.S. military landlord forged records to win bonuses	ColeNews0106-ColeNews0117
67.	09/23/20 Housing records allegedly faked as military families lived with roaches, mold	ColeNews0118 -ColeNews0120
68.	11/20/19 Military housing company allegedly falsified records as families lived with roaches and black mold	ColeNews0121-ColeNews0124
69.	09/20/19 Reuters Special Report: Ex-workers say U.S. military landlord falsified records to get bonuses	ColeNews0125-ColeNews0142
70.	09/23/20 US News Special Report: Ex-workers Say U.S. Military Landlord Falsified Records to Get Bonuses	ColeNews0143-ColeNews0154
71.	11/22/19 Air Force investigating new allegations that privatized housing company doctored maintenance records	ColeNews0155-ColeNews0171
72.	02/19/20 Mold, vermin in military housing: Companies aren't off the hook, lawmakers say	ColeNews0172-ColeNews0173
73.	07/16/20 DOD Releases Military Housing Tenant Bill of Rights	ColeNews0174-ColeNews0178
74.	12/23/21 U.S. Military landlord pleads guilty to fraud, resolving probe – Justice Dept.	ColeNews0179-ColeNews0181
75.	09/28/20 Military Housing Lawsuit Investigation	ColeNews0182-ColeNews0191
76.	US Senate PSI Report "Mistreatment of Military Families in Privatized Housing" April 26, 2022	
77.	Balfour Beatty Guilty Plea and Statement of Facts	Dkt. 5 and Attachments from 21-CR-742-EGS
78.	09/11/19 New association of privatized housing companies pushing back on some reforms	ColeNews0192-ColeNews200
79.	Hodge - Itemized List of Loss (Native Excel spreadsheet)	None
80.	09/10/19 EMSL Analytical, Inc. Report with 09/09/19 The Mold Consultant Mold Inspection Summary Report for Balfour Beatty	Hodge0001-Hodge00013
81.	09/24/19 Quantem Laboratory Microbiology Analytical Report	Hodge00014-Hodge00019

No.	Document Description	Bates No.
82.	09/25/19 Dirty Deeds / DIY Mold Testing Results	Hodge00020-Hodge00047
83.	09/20/19 email string among the Hodges, Julie Meek, Traci Neerhoff and other BBC staff titled 6428 Inspection Report re mold results for the Hodge's home	Hodge00048-Hodge00049
84.	09/20/19 email string among the Hodges, Julie Meek, Traci Neerhoff and other BBC staff titled Re: 6428 Inspection Report re pre and post-inspection for move out	Hodge00050-Hodge00052
85.	09/17/19 email string between Hanna Hodge and Balfour Beatty staff titled Re: 6428 Blackbird Dr – Hodge Residence re turnaround timing for mold test results, move out	Hodge00053-Hodge00058
86.	09/16/19 email from Balfour Beatty Communities to Hanna Hodge titled Duplex follow-up work	Hodge00059-Hodge00060
87.	10/08/19 email string from Bryan Fasulo, other Balfour Beatty staff and the Hodges titled Refund of September Rent	Hodge00061-Hodge00063
88.	10/04/19 unsigned letter from Austin Hodge to BBC re Official and Final Move-Out	Hodge00064
89.	Undated, unsigned letter from the Hodges to Balfour Beatty staff re Notice of official and final move out	Hodge00065
90.	09/09/19 BBC Moisture-related Issues & Complaints Policy – Exhibit 2 Moisture or Mold Work Order Inspection Checklist	Hodge00066-Hodge00068
91.	01/16/18 Tinker AFB Family Housing Lease Agreement excerpt	Hodge00069-Hodge00071
92.	04/01/19 Verification of Tinker Housing residency	Hodge00072
93.	01/19/18 signed BBC Tinker Family Homes Move-in Discrepancies list	Hodge00073
94.	BBC access to Rent Café instructions	Hodge00074-Hodge00075
95.	Tinker AFB Homes Self Clean – Cleaning Checklist	Hodge00076-Hodge00080
96.	07/26/17 Tinker AFB Homes Pay & Go handout	Hodge00081
97.	Satellite Dish/Antenna Rules and Regulations AMC West – Tinker Air Force Base forms	Hodge00082-Hodge00084
98.	Protect Your Family From Lead in Your Home brochure	Hodge00085-Hodge000103
99.	09/11/2019 Tinker AFB Homes Mechanical Room Inspections letter	Hodge000104
100.	Tinker AFB Veterinary Treatment Facility Services Guide and Pet Registration Form	Hodge000105-Hodge000107
101.	Tips for Preventing Mold and Mildew – A Guide for Residents of Our Community	Hodge000108
102.	BBC Welcome to Your New Home Booklet	Hodge000109-Hodge000140
103.	Maintenance Corner BBC Self-Help flyer	Hodge000141
104.	OG&E Power Outage Report Information flyer	Hodge000142

No.	Document Description	Bates No.
105.	BBC Spotlight on Window Safety flyer	Hodge000143
106.	Tinker Fire & Emergency Services flyer	Hodge000144
107.	Looking for Before and Afterschool Care flyer	Hodge000145
108.	BBC Lawn Service & Self Help flyer	Hodge000146
109.	Thermostat instructions	Hodge000147
110.	BBC Alterations Request Form (blank)	Hodge000148
111.	10/15/2019 Work Order Directory spreadsheet	Hodge000149-Hodge000163
112.	Tinker AFB Homes Secure Café Submit Maintenance Request History screen shots	Hodge000164-Hodge000177
113.	09/10/19 screen shot re quarterly filter changes/mechanical room inspection	Hodge000175
114.	Chubb - Premises Pollution Liability Portfolio Insurance Policy Declarations	BBC 000001-000004
115.	Aspen - Environmental Legal Liability Policy Declarations	BBC 000005-000007
116.	Starr Indemnity - Commercial General Liability Declarations	BBC 000008-000010
117.	Cole Lease	BBC 000011-BBC 000089
118.	Spreadsheets and Work Orders	BBC 000090-BBC 000239
119.	Cole Photos	BBC 000240-BBC 000262
120.	Cole Correspondence	BBC 000263-BBC 000302
121.	Cole Vendor Invoices	BBC 000303-BBC 000322
122.	Hodge Jones Lease	BBC 000323-BBC 000351
123.	Hodge Jones Work Orders	BBC 000352-BBC 000397
124.	Hodge Jones Photos	BBC 000398-BBC 000422
125.	Hodge Blackbird Lease	BBC 000423-BBC 000444
126.	Hodge Blackbird Work Order	BBC 000445-BBC 000571
127.	Hodge Blackbird Correspondence	BBC 000701-BBC000715
128.	Hodge Blackbird Reports	BBC 000716-BBC 000778
129.	Hodge Blackbird Vendor Invoices	BBC 000779-BBC 000787
130.	Hodge Blackbird PEX	BBC 000788-BBC 000788
131.	AMC West Master Development and Management Agreement	BBC 000789-BBC 000832
132.	AMC West Property Management Agreement	BBC 000833-BBC 001001
133.	AMC West Ground Lease	BBC 001002-BBC 001051
134.	AMC West Project Operating Agreement	BBC 001052-BBC 001058
135.	AMC West Environmental Management Plan	BBC 001059-BBC 001124
136.	AMC West Amended and Restated Lockbox Agreement	BBC 001125-BBC 001215
137.	AMC West Reinvestment Plan	BBC 001216-BBC 001222
138.	AMC West Facilities Maintenance Plan	BBC 001223-BBC 001292
139.	USAF Approval Documents for WHPR Project	BBC 001293-BBC 001297
140.	Cunefare Production	Cunefare 0001-0063

No.	Document Description	Bates No.
141.	BBC Feb. 7, 2023 Production	MR_002529_Cole Cole – News_0001-000033_Cole Cole – SocialMedia_0001-000223_Cole Cole-AV-000001 – Cole-AV-000067 Hodge – MR 0001-003392
142.	Documents obtained by law enforcement and legislative bodies to which Plaintiffs do not object	
143.	Emails and other electronic communications to which Plaintiffs do not object	
144.	Copies of letters, contracts, leases, guidelines, policies, work orders, invoices, data from Yardi to which Plaintiffs do not object	
145.	Third-party contractor agreements, invoices, and reports to which Plaintiffs do not object	
146.	Any and all pleadings in this case or any case in which BBC was a party	
147.	Any deposition transcripts, video and/or exhibits of any party or witness deponent in this case	
148.	Any and all documents identified and/or admitted into evidence as an exhibit to which Plaintiff does not object	
149.	All documents necessary to rebut Defendants' defenses	
150.	Demonstrative exhibits, including but not limited to summaries, depictions and drawings, models, diagrams, sketches, animations, simulations, and models, photos, videos, etc.	
151.	All documents produced in discovery to which Plaintiff does not object	
152.	All documents listed on Defendants' exhibit lists to which Plaintiff does not object	

Respectfully submitted,

s/ Caleb M. Salmon

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served via ECF, email and/or first-class mail on the 13 day of February 2023 to the following:

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